



**DEPARTMENT OF PUBLIC SAFETY
INTRA-DEPARTMENTAL CORRESPONDENCE**



DATE: FEBRUARY 10, 2015
FROM: CHIEF PETE N. KASSETAS *P.N.K.*
DEPUTY SECRETARY - OPERATIONS
TO: ALL COMMISSIONED PERSONNEL
SUBJECT: DIRECTIVE 2015-02 CASH PERMIT SALES

The New Mexico Department of Public Safety (NMDPS) has determined the administering of tax collection and permit sales by commissioned personnel, in addition to or in lieu of enforcement, is not considered among best practices nor is it consistent with commercial motor carrier, traffic or public safety. The primary mission for the NMDPS, Motor Transportation Police Department, is to ensure commercial motor carrier safety and compliance with NM tax regulations through enforcement and communication with the New Mexico Taxation and Revenue Department.

While there have not been any documented instances of impropriety, the NMDPS has determined the need to change these existing practices which could be considered or viewed as a conflict with our mission or as being outside of best practices. With the issuance of this directive, commissioned personnel are no longer permitted to carry currency for the purpose of conducting cash permit sales on the roadside or during traffic stops. Motor Transportation Police Department commissioned personnel will discontinue the practice of collecting any tax outside of a Port of Entry or permit office but may continue to conduct permit sales when working in a Port of Entry or permit office.

When commissioned personnel encounter commercial motor carriers, which are determined to not be in compliance with New Mexico taxation or permitting requirements, these operators are to be referred to the NM Taxation and Revenue Department, the NM Department of Public Safety permit office, or the nearest Port of Entry. Beginning March 9, 2015, operators of commercial motor carriers may also be referred to the Pro-miles website at <https://MTDPermits.dps.state.nm.us>. Transportation Inspectors who detect non-compliant commercial motor carriers shall contact their supervisor or a commissioned officer to determine if enforcement action is warranted. In addition to the web-site above, permits may be also issued at the Ports of Entry.

Effectively immediately, all NMDPS commissioned personnel are to relinquish any monies, permits, or ledgers in their possession to the appropriate District Lieutenant. The District Lieutenant shall account for all monies and permits that are in the possession of their field personnel. These funds, once accounted for, are to be collected from their areas and properly combined with the respective Port of Entry permit money balances. The ledgers will then be balanced and the necessary deposits shall be made as required. Please direct any questions that you may have to your supervisor. Thank you in advance for your attention and compliance with this directive.

PNK/cmm